



Publication Date: Friday, March 5, 2021

OFFICIAL NOTICE OF PUBLIC MEETING

THE STATE MINING AND GEOLOGY BOARD

Will Conduct a Regular Business Meeting on:

Thursday, March 18th, 2021 at 1:00 p.m.

This meeting will be held via video conference and will be recorded.

To avoid any background noises while the meeting is in session, we ask that you mute your device. To join the meeting, please download the latest version of MS Teams by visiting their website at <https://aka.ms/getteams> or install the MS Teams app on your phone. After installing MS Teams on your device click on the [Microsoft Teams Meeting](#) link to join the meeting. You may also join us by phone by dialing (916) 318-8892 and entering the Conference ID Number: **883 299 547#**.

The executive session will be held via an alternate MS Teams line, which will be provided to Board members prior to the meeting. The primary conference line will remain open during the executive session and members of the public may remain on the line. Board members will re-join the main teleconference after the conclusion of the executive session.

For questions or comments regarding this Agenda, please contact the Board by email at smgb@conservation.ca.gov. This Notice, the agenda, and all associated staff reports can be accessed at the SMGB's web site at: <https://www.conservation.ca.gov/smgb>.



PUBLIC MEETING AGENDA

1. **Call to Order (Sheingold)**
2. **Pledge of Allegiance**
3. **Roll Call and Declaration of a Quorum**
4. **Review of the Agenda (Sheingold)**
5. **Department Reports**
 - **Department of Conservation Report (Shabazian)**
 - **Division of Mine Reclamation Report (Haas)**
 - **California Geological Survey Report (Bohlen)**
6. **Chair Report (Sheingold)**
7. **Executive Officer Report (Schmidt)**
8. **Senior Geologist Report (Fry)**
9. **Senior Policy Analyst Report (Livers)**
10. **Board Committee Reports**
 - **Policy and Administration (Chair Landregan)**
 - **Geohazards and Mineral Conservation (Chair Zafir)**
 - **SMARA Compliance (Chair Anderson)**
11. **Ex-Parte Communication Disclosure**

Board Members will identify any discussions they may have had requiring disclosure pursuant to Public Resources Code Sections 663.1 and 663.2.
12. **Public Comment Period**

This time is scheduled to provide the public with an opportunity to address non-agenda items. Those wishing to speak should do so at this time. All persons wishing to address the Board are encouraged to complete a virtual speaker card via chat on the MS Teams platform. Speaker testimony is limited to three minutes except by special consent of the Chair.
13. **Consent Items**

All the items appearing under this section will be acted upon by the Board by one motion and without discussion; however, any Board member wishing to discuss any item may request the Chair to remove the item from the Consent Calendar and consider it separately.

 - A. Consideration and Approval of Minutes for the Regular Business Meeting held on:

January 21st, 2021
14. **Regular Business Items**
 - A. Consideration and Adoption of the 2020 Annual Mine Fee Schedule, Subject to the Surface Mining and Reclamation Act of 1975 (PRC Sections 2710 et seq. and 2207).

- B. Consideration and Approval of Non-substantive Regulatory Changes to Seismic Hazard Mapping Regulation (Title 14, California Code of Regulation (CCR), Sections 3720-3722, 3724, 3725), Pursuant to 1 CCR 100 (Section 100).

15. Presentations, Reports, and Informational Items

- A. Presentation: *Bagley-Keene Update* (Nicole Rinke, Esq., DAG, Attorney General's Office). This presentation is a refresher on the provisions of the Bagley-Keene Open Meeting Act.
- B. Presentation: *Long Bar Floodplain Construction Project, Yuba County* (Aaron Zettler-Mann, South Yuba River Citizens League). This presentation will provide preliminary information to the Board for future consideration of an exemption from the Surface Mining and Reclamation Act.

16. Executive Session (Closed to the Public)

The Board will discuss information from its legal counsel on personnel matters and pending litigation and may take appropriate actions based on this information. This session is being held under Government Code, Section 11126.

The executive session will be held via an alternate MS Teams line, which will be provided to Board members prior to the meeting. The primary conference line will remain open during the executive session and members of the public may remain on the line. Board members will re-join the main teleconference after the conclusion of the executive session.

- A. To discuss potential litigation involving the Board pursuant to Government Code Section 11126(e)(2).

Re-open Regular Business Meeting, Announce Results of Executive Session

17. Announcements and Future Meetings

18. Adjournment

THE STATE MINING AND GEOLOGY BOARD

THE BOARD

The State Mining and Geology Board (Board) serves as a regulatory, policy, and hearing body representing the State's interests in the reclamation of mined lands, geology, geologic and seismologic hazards, and the conservation of mineral resources.

The Board was established in 1885 as the Board of Trustees to oversee the activities of the State Mineralogist and the California Division of Mines and Geology (now the California Geological Survey). It is the second oldest Board in California. Today's Board has nine members appointed by the Governor and confirmed by the State Senate, for four-year terms. By statute, Board members must have specific professional backgrounds in geology, mining engineering, environmental protection, groundwater hydrology and rock chemistry, urban planning, landscape architecture, mineral resource conservation, and seismology, with one member representing the general public.

SPECIALTY	MEMBER NAME	TERM
Non-specialized public member	Larry Sheingold, Chair	2018-2022
Mining Engineer with background and experience in mining in California	George Kenline, Vice-Chair	2017-2021
Mineral resource conservation, development, or utilization	Brian Anderson	2019-2023
Environmental protection or the study of ecosystems	Vacant	2017-2021
Registered Geologist with background and experience in mining geology	Janet Kappmeyer	2017-2021
Landscape Architect	Stephanie Landregan	2018-2022
Registered Geologist, Geophysicist, or Civil Engineer with background and experience in seismology	Zia Zafir	2020-2024
Groundwater hydrology, water quality, or rock chemistry	Vacant	2016-2020
Representative of local government with background and experience in urban planning	Vacant	2019-2023

*Board member terms effectively terminate January 15 of the term-ending year.

Mission Statement

The mission of the Board is to provide professional expertise and guidance, and to represent the State's interest in the development, utilization, and conservation of mineral resources, the reclamation of mined lands and the development and dissemination of geologic and seismic hazard information to protect the health and welfare of the people of California.

STATUTORY AND REGULATORY AUTHORITY

The Board operates within Department of Conservation under the Natural Resources Agency and is granted responsibilities and obligations under the following acts:

Surface Mining and Reclamation Act of 1975

Under this Act, *Public Resources Code Sections 2710 et seq. and its regulations at 14 California Code of Regulations Section 3500 et seq.*, the Board provides a comprehensive surface mining and reclamation policy to assure that adverse environmental impacts are minimized, and mined lands are reclaimed. SMARA also encourages the production, conservation, and protection of the State's mineral resources.

Alquist-Priolo Earthquake Fault Zoning Act

Under this Act, *Public Resources Code Section 2621 through Section 2630, and its regulations at 14 California Code Regulations Section 3600 et seq.*, the Board is authorized to represent the State's interests in establishing guidelines and standards for geological and geophysical investigations and reports produced by the California Geological Survey, public sector agencies, and private practitioners. The Board is also authorized to develop specific criteria through regulations to be used by Lead Agencies in complying with the provisions of the Act to protect the health, safety and welfare of the public.

Seismic Hazards Mapping Act

Under this Act, *Public Resources Code Section 2690 through Section 2699.6 and its regulations at 14 California Code of Regulations Section 3720 et seq.* the Board is authorized to provide policy and guidance through regulations for a statewide seismic hazard mapping and technical advisory program to assist cities, counties, and State agencies in fulfilling their responsibilities for protecting the public health and safety from the effects of strong ground shaking, liquefaction or other ground failure, landslides and other seismic hazards caused by earthquakes, including tsunami and seiche threats.

GENERAL PROCEDURAL INFORMATION ABOUT BOARD MEETINGS

The Board is governed by the Bagley-Keene Open Meeting Act that requires the Board to:

- (1) Publish an Agenda at least ten days in advance of any meeting
- (2) Describe in the Agenda specific items to be transacted or discussed
- (3) Refuse to add an item no later than ten days prior to any meeting and republishing of the Agenda
- (4) Call a closed session by the Chair to discuss litigation and other matters
- (5) Make all testimony, files, and documents are made a part of the administrative record

Other Agenda material and reports will be available approximately one week prior to the scheduled Board meeting. All Board related information is available at <http://www.conservation.ca.gov/smgb>.

The Board encourages the submittal of comments, written material, or technical reports thirty days prior to the applicable Board meeting. All such material concerning any matters on the Agenda can be submitted to: smgb@conservation.ca.gov or addressed to:

**State Mining and Geology Board
801 K Street, MS 20-15
Sacramento, CA 95814**